

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

HALE AND HEARTY SOUPS L.L.C.,

Alleged Debtor.

Involuntary Proceeding Under
Chapter 7
Case No. 22-11285 (JLG)

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**ORDER DENYING MOTION FOR APPOINTMENT OF INTERIM CHAPTER 7
TRUSTEE PURSUANT TO 11 U.S.C. § 303(g)**

UPON the motion of APF 286 MAD LLC (“APF”), Baldor Specialty Foods, Inc. (“Baldor”), and Westside Foods, Inc. (“Westside”) (collectively, the “Petitioning Creditors”), by and through their attorneys, Davidoff Hutcher & Citron LLP, for Appointment of Interim Trustee Pursuant to § 303(g) of the Bankruptcy Code (the “Interim Trustee Motion”) (ECF No. 6); and the Court having entered on Order Granting the Petitioning Creditors’ Motion to Shorten Time on October 3, 2022 (ECF No. 9); and the Petitioning Creditors having attempted service on Hale and Hearty Soups L.L.C. (the “Alleged Debtor”) and its principal as set forth in the Affidavit of Service sworn to on October 4, 2022 (ECF No. 10); and on October 6, 2022, former counsel to the Alleged Debtor filed a letter (the “Debtor Letter”) with this Court stating, inter alia, the Alleged Debtor is no longer operating and that it will not contest the entry of an order for relief or the appointment of a trustee; and on October 6, 2022, this Court having held a hearing to consider the Interim Trustee Motion; and after due deliberation, and for the reasons set forth on the record of the hearing, it is hereby:

ORDERED, that the Interim Trustee Motion is hereby denied, without prejudice.

Dated: New York, New York
October 27, 2022

/s/ James L. Garrity, Jr.

HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE